



LYNN PRYOR
COMMONWEALTH'S ATTORNEY
THIRD JUDICIAL CIRCUIT/CHRISTIAN COUNTY, KY



July–August 2015

Volume 51

NEWSLETTER

“Leading the Fight for Public Safety”



Hello Everyone! Welcome to the 51st Edition of our newsletter.

GRAND JURY:

The July-August Grand Jury effectively and proficiently returned **92** “True Bill” Indictments, **1** “No True Bill,” and there was **1** case referred to District Court. As always, the Grand Jury was very dedicated, and we appreciate their service to our community. Their report is attached under the Grand Jury tab on our website.

COURT PROCEEDINGS:

From July 1, 2015, through August 31, 2015, our office handled **108** arraignments, **66** probation revocation hearings, and **117** sentencing hearings.

JURY TRIALS:

COMMONWEALTH VS. JAMES JOSEPH JOHNSON

Judge: Andrew Self
Prosecutor: Katherine Foster
Agency: Christian County Sheriff's Office

On August 3, 2015, Assistant Commonwealth's Attorney Katherine Foster tried the case of Commonwealth v. James Johnson. Johnson was charged with multiple counts of Sexual Abuse 1st Degree, Victim under the Age of Twelve involving two victims, who were 7 and 11 years of age during the time of the abuse.



The investigation on this case began on June 19, 2012, when the victims' father notified the Christian County Sheriff's Department after learning from his children that they had been sexually abused by the Defendant in their residence. Detective Williams conducted forensic interviews with both children at the Pennyrile Children's Advocacy Center. The victims advised Detective Williams that they had both been sexually abused by the Defendant for about a period of one year and that it happened multiple times.

At the trial, both victims took the stand, identified the Defendant, and testified in detail about the sexual abuse that occurred in the residence. Next, Detective Williams took the stand and educated the jury as to the investigation of this sexual abuse case and explained the process of the forensic interview. For the defense, the Defendant testified that he did not abuse the children. He admitted that he went AWOL from the military after he was indicted on these charges and that he was the third most wanted in the nation by the U.S. Army. He stated that he was living in the woods prior to being arrested for failing to appear in Christian Circuit Court.

After over five hours of deliberation, the Jury found the Defendant Guilty on nine counts of Sexual Abuse, First-Degree, Victim under Twelve Years of Age and recommended a sentence of five years on each count to run concurrent to each other. The Defendant will be formally sentenced on November 25, 2015.



COMMONWEALTH VS. ROSS GOODAKER

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Hopkinsville Police Department

The case of Commonwealth vs. Ross D. Goodaker was tried by Assistant Commonwealth's Attorney Michael Cotthoff over the course of August 4th-6th, 2015. Goodaker faced the charges of Robbery, 1st Degree and Trafficking in a Controlled Substance Within 1000 Feet of a School.

On June 4, 2014, two masked men with rifles robbed the BP Kangaroo on Lafayette Road. The robbers got away quickly after stealing cash and cigarettes. In an effort to ID the masked men, surveillance footage from the store was shared online. Law enforcement efforts centered on Goodaker and Turner after tips were received. On June 6, 2014, the Hopkinsville Police Department initiated a traffic stop on Goodaker and Turner and found them in possession of cigarettes matching those stolen. Goodaker was also wearing a pair of distinctive red shoes that were seen on the robbery video. Based off those facts, Search Warrants were executed at both Turner and Goodaker's homes.

In Goodaker's home, police located trafficking quantities of marijuana and clothing worn by him in the robbery. He lived very close to Indian Hills Elementary. In Turner's home, police located the firearms that were used in the robbery and more cigarettes that matched the brand stolen in the robbery. The two were interviewed and both denied involvement in the crime. Goodaker provided an alibi that did not hold up.

Both Turner and Goodaker's phones were downloaded by police pursuant to a signed Search Warrant. Goodaker's phone had pictures showing the two together 75 minutes before the robbery. These cell phone pictures also showed them wearing the clothing observed on the robbery video. The timestamps on these pictures were critical to the Commonwealth's case.

HPD reconstructed Goodaker and Turner's movements in the hours preceding the robbery. Surveillance videos from other locations and recorded on June 3, 2014 were found. In each video, Goodaker is wearing a pair of light blue-colored shorts and red Van tennis shoes which matched the clothing from the robbery video. A comparison of all this multimedia evidence left no doubt that Goodaker and Turner were the robbers.

The Commonwealth presented three days of testimony to include all details of the law enforcement investigation. Further, a woman that was with Goodaker and Turner on the night of the crime positively identified them as the individuals in the robbery video. Another witness testified Goodaker admitted the crime to him. There was also evidence that Goodaker had asked this particular witness to lie for him when the witness spoke to the police.

Goodaker testified in his own defense and stated he was so intoxicated on the night of the crime that he did not know whether he committed the robbery or not. Otherwise stated, his defense was that he could not have formed the requisite intent to commit a theft because he was so intoxicated that he did not know what he was doing. The Commonwealth argued that the intoxication defense stood in stark contrast to his prior statements. The jury was reminded that Goodaker had berated the police for their lack of evidence, that he had provided an alibi for the crime, and that he attempted to influence a witness's statement to police.

A jury took two hours to convict Goodaker of Robbery, 1st Degree and Trafficking in Marijuana under 8 Ounces (a lesser-included offense of the original Trafficking charge.) The jury recommended Goodaker serve 15 years imprisonment. By law, he will serve 85% of this sentence before he is released. Final sentencing was scheduled for October 6, 2015 at 1:00 PM.

Steve Turner entered a guilty plea to Robbery, 1st Degree and will be sentenced the same day as Ross Goodaker. The Commonwealth is recommending Mr. Turner serve 10 years at 85%. Mr. Goodaker received the same plea offer, but it was rejected.



COMMONWEALTH V. BRIAN KEITH GIBSON

Judge: Andrew Self
Prosecutor: Katherine Foster
Police Agency: Christian County Sheriff's Office

On August 6, 2015, Assistant Commonwealth's Attorney Katherine Foster tried the case of Commonwealth v. Brian Gibson. Gibson was charged with three counts of Sexual Abuse 1st Degree, Victim under the Age of Twelve involving an eight year old victim.

The investigation on this case began on April 2, 2014, when the victim's mother notified the Christian County Sheriff's Department after learning from her child that she was sexually abused by the Defendant while she and her family were living in the Defendant's residence. Detective Williams conducted a forensic interview with the child at the Pennyryle Children's Advocacy Center. The victim advised Detective Williams that she was sexually abused by the Defendant on three separate occasions.

At the trial, the victim took the stand, identified the Defendant, and testified about one incident where the Defendant sexually abused her but was not forthcoming about the other allegations. Next, Detective Williams took the stand and educated the jury as to the investigation of this sexual abuse case and explained the process of the forensic interview. Additionally, the victim's mother and step-father testified on behalf of the Commonwealth regarding their knowledge of the abuse and their relationship with the Defendant. For the defense, the mother of the step-father's children testified against his character as well as did the grandmother of the Defendant and the victim's step-father. The Defendant testified and denied sexually abusing the victim.

After approximately thirty minutes of deliberation, the Jury found the Defendant Not Guilty.



COMMONWEALTH V. CLIFTON HEADY

Judge: Andrew Self
Prosecutor: Michael Cotthoff
Police Agency: Pennyrile Narcotics Task Force

The case of Commonwealth vs. Clifton Heady was tried by Assistant Commonwealth's Attorney Michael Cotthoff on August 10, 2015. The lone charge was Trafficking in a Controlled Substance, Oxycodone.

The evidence established that Mr. Heady sold 10 Oxycodone pills to a confidential informant (CI). There was clear video of the crime and the CI testified consistently with the facts observed on video. Heady testified in his defense but admitted to the jury that he sold the pills for money.

A jury took nineteen minutes to find Mr. Heady guilty. A 6 year sentence was recommended. Final sentencing was set for December 2, 2015 at 1:00 PM.



COMMONWEALTH VS. PAUL ELAM

Judge: John Atkins
Prosecutor: Katherine Foster
Agency: Christian County Sheriff's Office

On August 13, 2015, Assistant Commonwealth's Attorney Katherine Foster tried the case of Commonwealth v. Paul Elam. Elam was charged with multiple counts of Sodomy 1st Degree, Victim under the Age of Twelve, multiple counts of Sexual Abuse 1st Degree, Victim under the Age of

Twelve, and two counts of Tampering with a Witness. One victim was 7 years of age and the other was 11 years of age at the time of the reporting.

The investigation on this case began on November 2, 2013, when the victims' mother notified the Christian County Sheriff's Department after learning from her children that they were sexually abused and sodomized multiple times by the Defendant during visitation at the Defendant's residence. Detective Williams conducted a forensic interview with the children at the Pennyrile Children's Advocacy Center. The victims advised Detective Williams that they were sexually abused by the Defendant on numerous occasions.

At the trial, the victims took the stand, identified the Defendant, and testified in detail about the multiple times that the Defendant sexually abused them. One victim testified about the countless times that the Defendant also sodomized her. Next, Detective Williams took the stand and educated the jury as to the investigation of this sexual abuse case and explained the process of the forensic interview. During cross examination of Detective Williams, defense played the recording of those forensic interviews. Additionally, the victims' mother and victims' step-mother testified. The mother testified that she trusted the Defendant with her children, and she was shocked when her children told her of the abuse. The step-mother testified that she found one of the victims in the bathroom immediately following an incident of sexual abuse and reported it to the mother, who then contacted authorities. The Commonwealth introduced a letter written by the Defendant to the step-mother asking her to not let the children testify. The jury also heard a recorded jail call to the same effect.

For the defense, the Defendant testified and denied assaulting and sodomizing the children. On cross examination, he did admit to contacting his wife regarding the children's testimony. The Defendant's mother, ex-girlfriend, and neighbor testified for the defense. His mother stated that the Defendant's wife called her on the morning she found the child in the bathroom and told her that the Defendant was going to jail and hung up.

After over an hour of deliberation, the Jury found the Defendant Guilty on fifteen counts of Sodomy 1st Degree, Victim under the Age of Twelve, thirteen counts of Sexual Abuse 1st Degree, Victim under the Age of Twelve, and two counts of Tampering with a Witness. The jury recommended twenty-five years on each count of Sodomy, seven years on each count of Sexual Abuse, and two years on each count of Tampering. The Defendant will be formally sentenced on November 17, 2015.



COMMONWEALTH VS. JEWELL MANNING

Judge: Andrew Self
Prosecutor: Lynn Pryor
Agency: Christian County Sheriff's Office

On August 17, 2015, Commonwealth's Attorney Lynn Pryor tried the case of Commonwealth vs. Jewell Manning. The Defendant was charged with Sodomy, First Degree, Victim under 12 years of Age, 2 Counts, and Sexual Abuse, First Degree, Victim under 12 years of Age.

The five year old victim reported to his mother that 'Mr. Jewell' liked him more than he like his mother, that he held him close and locked him out of the house. The child's mother, who had been dating the defendant, reported her suspicion that there might be more to the child's claims. There was a forensic interview and a medical examination done, in which he repeatedly said that 'Mr. Jewell' touched him in his privates, put his own privates on the child's bottom where wet stuff came out, and inserted a stick into his rectum. While there was no definitive physical evidence, there was a stick located at the home of the victim that had a mixture of DNA on it, including Manning's. However, the jury had to rely mostly on the testimony of the child, his mother, the police officers and others that saw and talked with the child. The child refused to testify about the incidents at trial, but the jury did get to see his interview that took place almost four years prior. After hearing the evidence, the jury returned a Not Guilty verdict on all counts.

GUILTY PLEAS/SENTENCINGS:

This section of our Newsletter includes a brief description of sentencing hearings that took place during the previous two-month period. While many consider "plea-bargains" as a negative way to resolve cases, defendants typically plead guilty to the same charges they are indicted for. When the defendant is sentenced following a guilty plea, they stand convicted of the charges just as if a jury had found them guilty. Therefore, the only thing they bargain away is their right to a jury trial and right to appeal. You will also see the jail-intake photos of these Defendants, when available.

Once the Commonwealth makes an offer and the Defendant enters a guilty plea, it is up to the Circuit Judge to determine if the Defendant will be probated or sentenced to prison. Another option that the judge has is one that must be agreed upon by the Defendant and by the Commonwealth – Pretrial Diversion. A "Pretrial Diversion" is only available to those defendants that are pleading guilty to Class D felonies [1-5 years] [DUIs shall be ineligible] and they are only allowed one diversion in any five (5) year period.

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COMMONWEALTH V. LAZARUS MCDONALD

Judge: Andrew Self
Prosecutor: Michael Cotthoff
Agency: Hopkinsville Police Department
Guilty Plea Date: April 1, 2015



Sentencing Date: July 1, 2015
Charges: Theft over \$500, 8 counts; Theft by Deception over \$500, 2 counts; Criminal Mischief, 1st Degree; Operating a Motor Vehicle on a Suspended Operator's License; Fleeing or Evading Police, 2nd Degree; Leaving the Scene of an Accident; No Insurance; Speeding; Reckless Driving; Disregarding Stop Sign; Public Intoxication; Persistent Felony Offender, 1st Degree
Disposition: 10 Years – Prison

COMMONWEALTH V. JORDAN JOHNSON

Judge: Andrew Self
Prosecutor: Michael Cotthoff
Agency: Christian County Sheriff's Office
Guilty Plea Date: April 22, 2015
Sentencing Date: July 7, 2015
Charges: Trafficking In Hydrocodone; Trafficking In Marijuana While Armed; Carrying a Concealed Deadly Weapon; Possession of Marijuana
Disposition: 8 Years – Probated & Diverted



COMMONWEALTH V. TIFFANY LONG

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Kentucky State Police
Guilty Plea Date: April 15, 2015
Sentencing Date: July 7, 2015
Charges: Trafficking In a Controlled Substance within 1000 Feet of a School, 2 counts
Disposition: 6 Years – Probated & Diverted



COMMONWEALTH V. NICHOLAS NORTH

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Hopkinsville Police Department
Guilty Plea Date: April 9, 2015
Sentencing Date: July 7, 2015
Charges: Trafficking In Unspecified Controlled Substance; Trafficking in Marijuana; Possession of Drug Paraphernalia; Endangering the Welfare of a Minor, 3 counts
Disposition: 5 Years – Probated & Diverted



COMMONWEALTH V. TY MAYTON

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Hopkinsville Police Department
Guilty Plea Date: April 9, 2015
Sentencing Date: July 7, 2015
Charges: Possession of Hydrocodone, While Armed; Possession of Marijuana, while Armed; Possession of Drug Paraphernalia, while Armed; Endangering the Welfare of a Minor, 3 counts; Hindering Apprehension, 2nd Degree
Disposition: 3 Years – Probated & Diverted



COMMONWEALTH V. DAVONTA SPENCER

Judge: John Atkins
Prosecutor: Michael Cotthoff
Agency: Hopkinsville Police Department
Guilty Plea Date: April 15, 2015
Sentencing Date: July 7, 2015
Charges: Possession of Opiates, while Armed; Trafficking In Marijuana Under 8 oz., while Armed; Carrying Concealed Deadly Weapon; No Insurance; Careless Driving; Failure to Signal
Disposition: 7 Years – Probated & Diverted



COMMONWEALTH V. TEFRELL TOLIVER

Judge: John Atkins
Prosecutor: Lynn Pryor
Police Agency: Hopkinsville Police Department
Jury Trial Date: July 23, 2014
Sentencing Date: July 7, 2015
Charges: Trafficking in Cocaine
Disposition: 7 Years – Probated



COMMONWEALTH V. LATOYA SULLIVAN

Judge: John Atkins
Prosecutor: Katherine Foster
Police Agency: Hopkinsville Police Department
Guilty Plea Date: May 4, 2015
Sentencing Date: July 7, 2015
Charges: Theft by Unlawful Taking over \$500
Disposition: 5 Years – Probated & Diverted



COMMONWEALTH V. ANGELIQUE OCHS

Judge: John Atkins
Prosecutor: Duncan Cavanah
Agency: Hopkinsville Police Department
Guilty Plea Date: April 22, 2015
Sentencing Date: July 7, 2015
Charges: Possession of Cocaine
Disposition: 3 Years -- Probated



COMMONWEALTH V. STARLIT LAMB

Judge: John Atkins
Prosecutor: Adam Turner
Police Agency: Office of the Inspector General
Guilty Plea Date: April 8, 2015
Sentencing Date: July 7, 2015
Charges: Fraudulently Obtaining SNAP Benefits over \$100; Fraudulently Obtaining Medicaid Benefits over \$100
Disposition: 5 Years – Probated & Diverted



COMMONWEALTH V. DAVID JONES

Judge: John Atkins
Prosecutor: Adam Turner



Police Agency: Pennyriple Narcotics Task Force & Kentucky State Police
Guilty Plea Date: May 6, 2015
Sentencing Date: July 7, 2015
Charges: Trafficking in Dilaudid, Less than 10 Dosage Units, 3 Counts
Disposition: 3 Years – Probated

COMMONWEALTH V. LATANYA MCCOMBS

Judge: John Atkins
Prosecutor: Adam Turner
Police Agency: Kentucky Office of Unemployment Ins.
Guilty Plea Date: May 6, 2015
Sentencing Date: July 7, 2015
Charges: Making a False Statement to Obtain an Increase of Benefits over \$100
Disposition: 5 Years – Probated & Diverted



COMMONWEALTH V. KEITH MEACHAM

Judge: John Atkins
Prosecutor: Adam Turner
Police Agency: Kentucky State Police
Guilty Plea Date: April 16, 2015
Sentencing Date: July 7, 2015
Charges: Possession of a Controlled Substance, 1st Degree, 1st Offense, Unspecified; Theft by Unlawful Taking over \$500, Shoplifting; Possession of Drug Paraphernalia
Disposition: 5 Years – Probated & Diverted



COMMONWEALTH V. JARVIS ROSS

Judge: John Atkins
Prosecutor: Adam Turner
Police Agency: Hopkinsville Police Department
Guilty Plea Date: February 11, 2015
Sentencing Date: July 7, 2015
Charges: Fraudulent Use of a Credit Card over \$500
Disposition: 3 Years – Probated



COMMONWEALTH V. RAPHAEL HART

Judge: John Atkins
Prosecutor: Adam Turner
Police Agency: Oak Grove Police Department
Guilty Plea Date: April 8, 2015
Sentencing Date: July 7, 2015
Charges: Burglary, 2nd Degree; Possession of Marijuana
Disposition: 7 Years – Probated & Diverted



COMMONWEALTH V. TAMMY JONES

Judge: John Atkins
Prosecutor: Adam Turner
Police Agency: Pennyriple Narcotics Task Force & Hopkinsville Police Department
Guilty Plea Date: May 6, 2015
Sentencing Date: July 7, 2015
Charges: Trafficking in Opiates, Less than 10 Dosage Units; Possession of



Drug Paraphernalia; Possession of Opiates; Disregarding a Traffic Control Device

Disposition: 3 Years – Probated

COMMONWEALTH V. TARA ALLEN

Judge: Andrew Self
Prosecutor: Michael Cotthoff
Agency: Hopkinsville Police Department
Guilty Plea Date: April 15, 2015
Sentencing Date: July 8, 2015
Charges: Trafficking In Oxycodone; Facilitation to Trafficking in Oxycodone
Disposition: 5 Years – Probated & Diverted



COMMONWEALTH V. ELAINE MYERS

Judge: Andrew Self
Prosecutor: Duncan Cavanah
Agency: Pennyriple Narcotics Task Force & Christian County Sheriff's Dept.
Guilty Plea Date: April 15, 2015
Sentencing Date: July 8, 2015
Charges: Trafficking in Controlled Substance; Criminal Possession of Forged Instrument 2nd Degree, 56 counts
Disposition: 5 Years -- Probated & Diverted 3 years



COMMONWEALTH V. CORTEZ HAIRSTON, SR.

Judge: John Atkins
Prosecutor: Michael Cotthoff/Lindsey Adams
Agency: Hopkinsville Police Department
Guilty Plea Date: July 15, 2015
Sentencing Date: July 15, 2015
Charges: Trafficking In Cocaine, Over 4 Grams; Flagrant Non Support
Disposition: 12 ½ Years – Prison



COMMONWEALTH V. NAKEIFER BLANE

Judge: Andrew Self
Prosecutor: Michael Cotthoff
Agency: Hopkinsville Police Department
Guilty Plea Date: April 8, 2015
Sentencing Date: July 15, 2015
Charges: Burglary, 2nd Degree; Robbery, 2nd Degree; Wanton Endangerment, 1st Degree; Fleeing/Evading Police, 2nd Degree
Disposition: 10 Years – Prison



COMMONWEALTH V. DEANTHONY BUCKNER

Judge: Andrew Self
Prosecutor: Michael Cotthoff
Agency: Hopkinsville Police Department
Guilty Plea Date: April 8, 2015
Sentencing Date: July 15, 2015
Charges: Burglary, 2nd Degree; Robbery, 2nd Degree; Wanton Endangerment, 1st Degree; Tampering with a Prison Monitoring Device; Bail Jumping, 1st Degree
Disposition: 13 Years – Prison



COMMONWEALTH V. ROREY MULLINS

Judge: John Atkins
Prosecutor: Lynn Pryor
Police Agency: Kentucky State Police
Guilty Plea Date: July 15, 2015
Sentencing Date: July 15, 2015
Charges: Failure to Comply with Sex Offender Registration
Disposition: 3 Years – Prison



COMMONWEALTH V. SHANE CRENSHAW

Judge: John Atkins
Prosecutor: Duncan Cavanah
Agency: Christian County Jail
Guilty Plea Date: July 15, 2015
Sentencing Date: July 15, 2015
Charges: Promoting Contraband, 1st Degree
Disposition: 1 Year -- Prison



COMMONWEALTH V. HUNTER BARNETT

Judge: John Atkins
Prosecutor: Adam Turner
Agency: Christian County Jail
Guilty Plea Date: July 15, 2015
Sentencing Date: July 15, 2015
Charges: Promoting Contraband, 1st Degree and 2nd Degree
Disposition: 3 Years – Prison



COMMONWEALTH V. FRANK WILLIAMS

Judge: Andrew Self
Prosecutor: Katherine Foster
Police Agency: Hopkinsville Police Department
Guilty Plea Date: April 8, 2015
Sentencing Date: July 15, 2015
Charges: Criminal Possession of Forged Instrument, 2nd degree; Assault 4th degree, Domestic Violence; Resisting Arrest
Disposition: 3 Years – Probated



COMMONWEALTH V. WILLIAM STOKES

Judge: John Atkins
Prosecutor: Katherine Foster
Police Agency: Hopkinsville Police Department
Guilty Plea Date: April 20, 2015
Sentencing Date: July 16, 2015
Charges: Possession of Cocaine; Possession of Drug Paraphernalia
Disposition: 1 Year – Probated



COMMONWEALTH V. SHAWNTEZ BARNES

Judge: John Atkins
Prosecutor: Duncan Cavanah
Agency: Hopkinsville Police Department

